

AMENDMENTS TO THE DRAWINGS:

The attached replacement drawing sheets makes changes to Figs. 5 and 7 and replaces the original sheets with Fig. 5 and Fig. 7. Specifically, in Fig. 5, reference character "104h" is replaced with "105," and the block designated as "104f" is deleted. Furthermore, in Fig. 7, the reference character "702" is deleted.

Attachment: Replacement Sheets

REMARKS

By this Amendment, Fig. 5 is amended, the specification is amended, and claims 1-15, 17, 18, 20-24, and 26 are amended. Furthermore, claims 27-28 are canceled without prejudice or disclaimer. Accordingly, claims 1-26 are pending in this application. No new matter is presented in this Amendment. Applicants appreciate the Examiner's thorough review of the present application, and respectfully request reconsideration in light of the preceding amendments and the following remarks.

Applicant takes note of the typographical error in the information disclosure statement (IDS) filed on October 31, 2003. Accordingly a corrected IDS is filed along with this Amendment.

In paragraph five of the Office Action, the Patent and Trademark Office (PTO) objects to Figs. 4 and 5 as failing to comply with 37 CFR 1.84(p)(5) because they include reference characters not mentioned in the description. Applicant has amended the specification to include reference characters "200" and "210." Furthermore, Fig. 5 is amended to change reference character "104h" to "105," and reference character "104f" is deleted. Reference character 105 refers to the data transfer controller, and the specification has been amended accordingly. In addition, reference character "702" in Fig. 7 is deleted, and a reference to Fig. 7, block "722," has been added to the end of the paragraph beginning on page 14, line 22, of the originally filed specification.

In paragraph six of the Office Action, the PTO indicates objects to the drawings because the drawings do not include reference signs "120h", and "120f," as mentioned in paragraph [0045] of the published application, and reference character "101f" as mentioned in paragraph [0049]. The specification is amended to delete reference to these characters.

Furthermore, in regards to paragraph 6 of the Office Action, incorrectly referenced figures are corrected, as suggested by the Examiner. Accordingly, based upon the above changes to the

figures and the specification, withdrawal of the objection to the drawings is respectfully requested.

The PTO further objects to claim 22 because of informalities. Applicant amends claim 22 to replace the word "considering," with the "consider" as suggested by the Examiner to obviate the objection thereto. Accordingly, withdrawal of the objection to claim 22 is respectfully requested.

Claims 1-7, 9-13, and 15-28 stand rejected under 35 U.S.C. §102(a) as being anticipated by U.S. Patent Application No. 20020191593 to O'Neil et al. ("O'Neil"). A rejection based on 35 U.S.C. §102 requires every element of the claim to be included in the reference, either directly or inherently. Based upon the submitted amendments to the claims and the arguments presented below, these rejections are respectfully traversed.

Applicant discloses a method of establishing a first network connection and a second network connection while the mobile computing device is in the same foreign network. The second connection is only established if a data source connected to the mobile computing device is within the same foreign network as the mobile computing device, thus avoid the network inefficiencies that would result from a circuitous connection that first connects the mobile computing device to the device's home network, which is then connected to the data source in the foreign network. Independent claim 1 is amended to recite:

"A method of establishing a network connection from a mobile computing device to a data source on a foreign network, the method comprising:

configuring a first network connection between a mobile computing device and a foreign network via a home network;

determining that a data source for data requested by the mobile computing device originates from within the foreign network;

breaking at least a portion of the first network connection; and

establishing a new network connection between the mobile computing device

and the data source within the foreign network.” (Emphasis added).

Nowhere does O’Neill disclose, teach, or suggest the method of establishing a first and second connection to a mobile computing device, while the mobile device is still in the same foreign network, as recited in claim 1.

Applicant respectfully submits that at paragraph [0040], O’Neill appears to disclose wherein a home mobility agent node 332 is required in a handoff as it moves between access nodes 200, 200’, and 200”. Furthermore, O’Neill, in Figs. 5 and 6, appears to only disclose transferring an existing connection from an end node X 304 to an access node 200’ of communication 300 to another access node 200” of a second communication cell 300’ when the end node X travels from the first cell to the second cell. That is, although O’Neil discloses a context transfer sub-module 248 that is used to perform information transfer operations as part of a handoff, based upon the disclosure at paragraph [0033] a handoff is executed by the mobility agent module 202 only when an end node changes its point of connection from the access node 200 to another access node. In other words, unlike the Applicants method, O’Neil appears to only disclose establishing a single connection for an end node once it enters a foreign network.

Based upon the above, Applicant respectfully submits that O’Neill fails to anticipate the method recited in independent claim 1.

Regarding independent claim 9, the PTO asserts that O’Neill, at paragraphs [0005], discloses communication without using the care of address, as recited in claim 9. Applicant respectfully disagrees. O’Neill, at paragraph [0005], appears to only disclose wherein Session Initiation Protocol (SIP) allows a user agent to maintain reachability by registering its present location information with a SIP server. Furthermore, O’Neill states, in paragraph [0005] that “[t]he SIP server in the home network can then route any request for the user agent based on the presently registered location information.” Applicant recites, however, wherein the computer device is located in the foreign network.

Regarding independent claims 9 and 15, Applicant respectfully submits that similar to the arguments presented regarding claim 1, nowhere does O'Neill disclose establishing two connections between the mobile computing device and a data source, once the mobile computing device is operating in the foreign network. Accordingly, claims 9 and 15 are likewise allowable over O'Neill.

Independent claims 20-24 are similar to the subject matter recited in independent claim 1 and are likewise allowable over O'Neill. Dependent claims 2-8, 10-11, 13, 14, 16-19, and 25-26 depend variously from independent claim 1, 9, 15, and 20-24 and are likewise patentable over O'Neill at least for their dependence on an allowable base claim, as well as for additional features they recite. The rejection of claims 27 and 28 is moot based upon the cancellation of these claims as indicated above. Withdrawal of the rejection over O'Neill is respectfully requested.

Dependent claims 8 and 14 are rejected under 35 U.S.C. §103(a) over O'Neill in view of U.S. Patent Application No. 20030193910 to Shoaib et al. ("Shoaib"). These rejections are respectfully traversed. Notwithstanding any disclosure in Shoaib regarding teaching an assessment of bandwidth and speed of a proposed connection, similar to O'Neill, Shoaib, in paragraph [0014], appears to only describe "a method of handing over from a first network to a second network that includes operating a mobile terminal via a first network, evaluating at least one criteria of either the first network or a second network and initiating a trigger that causes a handover from the first network to the second network so that the mobile terminal operates via the second network." Nowhere does Shoaib disclose, teach, or suggest wherein the two connections are in the same foreign network, as recited by the Applicant. Accordingly, claims 8 and 14 are patentable, not only due to their dependence on an allowable base claim, but are also patentable for the additional features they recite. Withdrawal of the rejection over the combination of O'Neill and Shoaib is respectfully requested.

All objections and rejections have been addressed. In view of the foregoing, Applicant

respectfully submits that the application is in condition for allowance and favorable reconsideration and prompt allowance of claims 1-26 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of times fees, to Deposit Account 08-2025 and please credit any excess fees to such deposit account.

Respectfully submitted,

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